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Michelle M. Scordato
Name Michelle Scordato
Signature Michelle Scordato
December 20, 2001
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James, et al.

Serial No.: 09/914,659, Based on PCT/GB00/00760

Filed: August 31, 2001

For: Culture of Mycobacteria

RESPONSE

Assistant Commissioner for Patents
Attention: Box Missing Parts
Washington, D.C. 20231

Sir:

Responsive to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office dated October 22, 2001 (copy enclosed), herewith is the executed Oath and Declaration. Please note that applicant corrected its status to be a large entity in a communication dated September 18, 2001. Therefore, enclosed is the \$130 fee for large entity.

If any underpayment or overpayment has been made, please charge to Deposit Account No. 08-2442.

Respectfully submitted,

HODGSON RUSS LLP

By Ranjana Kadle, Reg. No. 40,041

02/04/2002 LLANDGRA 00000014 09914659
01 FC:154 130.00 OP

One M&T Plaza, Suite 2000
Buffalo, New York 14203
716) 848-1628
Dated: December 20, 2001

PCT
Due 12/21/01
DMD

U.S. APPLICATION NUMBER NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/914,659		James	18872, 0107✓
		INTERNATIONAL APPLICATION NO.	
		PCT/GB00/00760	
		I.A. FILING DATE	PRIORITY DATE
		03/02/2000	03/02/1999

RECEIVED

OCT 25 2001

Ranjana Kadle
Hodgson Russ
One M & T Plaza
Suite 2000
Buffalo, NY 14203-2391

CONFIRMATION NO. 2344
371 FORMALITIES LETTER



OC00000006932425

Date Mailed: 10/22/2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

MAMIE P PERSON

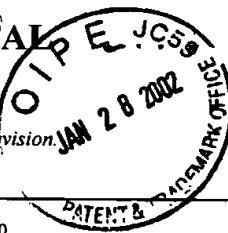
Telephone: (703) 305-3737

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/914,659	PCT/GB00/00760	

**FEE TRANSMISSION
for FY 2002**

Patent Fees are subject to annual revision.



Application Number	09/914,659
Filing Date	August 31, 2001
First Named Inventor	James, et al.
Examiner Name	
Group/Art Unit	
TOTAL AMOUNT OF PAYMENT	(\$ 130.00)
	ATTORNEY DOCKET NUMBER 18872.0107

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

3. ADDITIONAL FEES

Deposit Account Number: 08-2442	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
Deposit Account Name: Hodgson Russ LLP						
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17	105	130	205	65	Surcharge - late filing fee or oath	\$ 130
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other	139	130	139	130	Non-English specification	\$
FEE CALCULATION	147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	\$
1. BASIC FILING FEE						
Large Entity Small Entity						
Fee Fee Fee Fee	Fee Paid					
Code (\$)	Code (\$)	Fee Description				
112	920*	112	920*	Requesting Publication of SIR prior to Examiner Action	\$	
113	1,840*	113	1,840*	Requesting Publication of SIR after Examiner Action	\$	
101 740 201 370 Utility filing fee	\$	115	110	215	55	Extension for reply within first month
106 330 206 165 Design filing fee	\$	116	400	216	200	Extension for reply within second month
107 510 207 255 Plant filing fee	\$	117	920	217	460	Extension for reply within third month
108 740 208 370 Reissue filing fee	\$	118	1,440	218	720	Extension for reply within fourth month
114 160 214 80 Provisional filing fee	\$	128	1,960	228	980	Extension for reply within fifth month
SUBTOTAL (1)	\$ 0	119	320	219	160	Notice of Appeal
2. EXTRA CLAIM FEES	Extra Fee from Claims below	Fee Paid				
Total Claims / / -20** = / / x / / =	\$	120	320	220	160	Filing a brief in support of an appeal
Independent Claims / / - 3** = / / x / / =	\$	121	280	221	140	Request for oral hearing
Multiple dependent / / x / / =	\$	138	1,510	138	1,510	Petition to institute a public use proceeding
Large Entity Small Entity						
Fee Fee Fee Fee	Fee Paid					
Code (\$)	Code (\$)	Fee Description				
141	1,280	241	640	Petition to revive - unintentional	\$	
142	1,280	242	640	10 advance copies Utility issue fee (or reissue)	\$	
103 18 203 9 Claims in excess of 20	\$	143	460	243	230	Design issue fee
102 84 202 42 Independent claims in excess of 3	\$	144	620	244	310	Plant issue fee
104 280 204 140 Multiple dependent claim if not paid	\$	122	130	122	130	Petitions to the Commissioner
109 84 209 42 **Reissue independent claims over original patent	\$	123	50	123	50	Processing fee under 37 CFR 1.17(q)
110 18 210 9 ***Reissue claims in excess of 20 and over original patent	\$	126	180	126	180	Submission of Information Disclosure Statement
SUBTOTAL (2)	\$ 0	581	40	581	40	Recording each patent assignment per property (times number of properties)
SIGNATURE: <i>Ranjana Kadle</i>		146	740	246	370	Filing a submission after final rejection(37 CFR 1.129(a))
Ranjana Kadle Reg. No. 40,041		149	740	249	370	For each add'l invention to be examined(37 CFR 1.129(b))
DATE: December 20, 2001 Telephone: (716) 848-1628		179	740	279	370	Request For Continued Examination (RCE)
		169	900	169	900	Request for Expedited Examination of a design appln.
						SUBTOTAL (3) \$ 130

*Reduced by basic filing fee paid